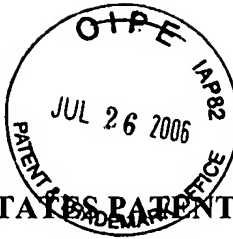
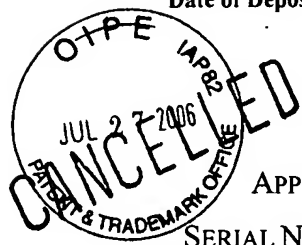


Express Mail Label No.: EV 538968336 US  
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Attorney Docket No.: 28616-003 NATL



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Scully et al.  
SERIAL NUMBER : 10/578,215 EXAMINER : Not Yet Assigned  
FILING DATE : May 2, 2006 ART UNIT : Not Yet Assigned  
FOR : SPORE INACTIVATION PROCESS

**Mail Stop Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

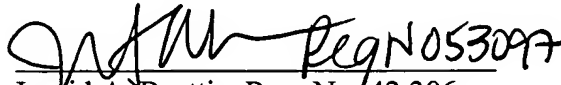
Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (2 pages), in duplicate;
3. Copies of Cited Reference B1-4; C1-12; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 28616-003 NATL. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

 Reg No 53097

Ingrid A. Beattie, Reg. No. 42,306  
Jennifer A. Karnakis, Reg. No. 53,097  
Attorneys for Applicants  
c/o MINTZ, LEVIN  
Address all written correspondence to  
**Customer no.: 30623**  
Tel: (617) 542-6000  
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Date: July 26, 2006

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Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant hereby makes of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Information Disclosure Statement is being submitted within three months of filing the application. Accordingly, no fee or certification is believed required. By the waiver of 37 CFR 1.98(a)(2)(i) copies of the U.S. Patents A1-A3 are not submitted.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

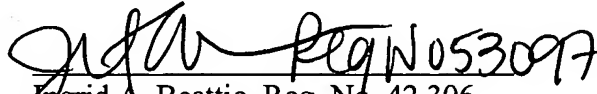
By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: Scully et al.  
U.S.S.N.: 10/578,215

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 28616-003 NATL.

Respectfully submitted,

 Reg No 53097  
Ingrid A. Beattie, Reg. No. 42,306

Jennifer A. Karnakis, Reg. No. 53,097

Attorneys for Applicants

c/o MINTZ, LEVIN

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Date: July 26, 2006

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Attorney Docket No.: 28616-003 NATL

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<b>Modified Form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	<b>Application Number</b>	10/578,215
	<b>Filing Date</b>	May 2, 2006
	<b>First Named Inventor</b>	Scully
	<b>Group Art Unit</b>	Not Yet Assigned
	<b>Examiner Name</b>	Not Yet Assigned
	<b>Attorney Docket Number</b>	28616-003 NATL

**U.S. PATENT DOCUMENTS**

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	*A1	5,945,152	08/31/99	Purser	426	646	
	*A2	6,086,936	07/11/00	Wilson et al.	426	521	
	*A3	6,207,215 B1	03/27/01	Wilson et al.	426	521	

**U.S. PUBLISHED APPLICATION DOCUMENTS**

Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate

**FOREIGN PATENT DOCUMENTS**

Exam Initials	Cite No.	Foreign Patent Document Office	Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes	No
	B1	WO	03/013279 A2	NAVITAL (UK) LIMITED	02/20/03		
	B2	WO	03/070025 A1	L'AIR LIQUIDE - SOCIETE ANONYME A DIRECTOIRE ET CONSEIL DE SURVEILLANCE POUR L'ETUDE ET L'EXPLOITATION DES PROCEDES GEORGES CLAUDE	08/28/03		
	B3	EP	0 674 845 B1	SOCIETE DES PRODUITS NESTLE S.A.	10/04/95		
	B4	AU	672661	COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANISATION	06/22/94		

**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C1	Abstract of JP 5-7479, TOPPAN PRINTING CO., LTD. (01/19/93)
	C2	Bruch, C.W., <i>Life Sci. Space Res.</i> , 2:357-371 (1964)
	C3	Chemical Abstracts: AN 115:206608 CA, abstract of JP 3183435, DAINIPPON PRINTING CO. LTD. (08/09/91)
	C4	Cuq et al. <i>Sciences Des Aliments</i> , English Summary only, 13(4):677-698 (1993)
	C5	Fenice et al. <i>Intl. J. Food Microbiol.</i> , 52:109-113 (1999)

OTHER PRIOR ART – NON-PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C6	Lindström et al. <i>J. Food Protection</i> , 64(6):838-844 (2001)
	C7	Lund et al. <i>J. Applied Bacteriol.</i> , 64:241-246 (1988)
	C8	Moodley et al. <i>J. Food Protection</i> , 65(5):867-871 (2002)
	C9	Pfeiffer et al. <i>Facts</i> , National Pork Producers Counsel and American Meat Science Association (1997) <a href="http://www.meatscience.org/Pubs/factsheets/qirradiatin.pdf">http://www.meatscience.org/Pubs/factsheets/qirradiatin.pdf</a> .
	C10	Raso et al. <i>Crit. Rev. Food Sci. Nutr.</i> , 43(3):265-285 (2003)
	C11	Ross et al. <i>Intl. J. Food Microbiol.</i> , 89:125-138 (2003)
	C12	Tewari et al. <i>Fresher Under Pressure Scientific Research</i> , (first published in <i>Science Des Aliments</i> , 19:619-661 (1999))

\* By the waiver of 37 CFR 1.98(a)(2)(i) copies of the U.S. Patents A1-A3 are not submitted.

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.